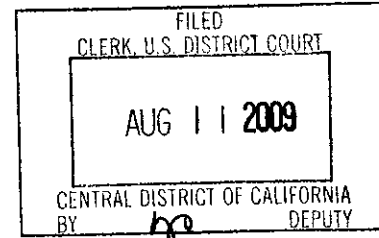


**ORIGINAL**

1 ROBERT BROWN, CDCR # P-36938  
2 PVSP  
3 P.O. BOX 8503  
4 COALINGA, CA 93210

5 Intervenor In Propria Persona



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7  
8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11  
12 KENNETH G. KEEL,

13 Plaintiff,

14 v.

15 ARNOLD SCHWARZENEGGER,  
16 et al.,

17 Defendants.

No. CV08-7591 RMT (VBK)

NOTICE OF MOTION AND  
MOTION FOR LEAVE TO  
INTERVENE; DECLARATION  
*OF ROBERT BROWN*

18 TO THE PRESIDING DISTRICT COURT JUDGE AND ALL PARTIES:

19 PLEASE TAKE NOTICE that, as soon as the matter may be heard  
20 in the above-entitled action, intervenor ROBERT BROWN will  
21 and does move the Court under Federal Rules of Civil Procedure,  
22 Rule 24(b)(c), for an order granting him leave to intervene by  
23 the above-named plaintiff filing an amended (class action)  
24 complaint in accordance with Rule 23.

25 The Courthouse is located at 312 North Spring Street, L.A.,  
26 California, 90012-4793.

27 The grounds for issuance of this order are that intervenor  
28

1 ROBERT BROWN has an interest in the matter in litigation;  
2 that is, common questions of law and fact.

3 The motion is based on this Notice, the attached Declaration,  
4 Memorandum of Points and Authorities, Exhibit A, along with all  
5 papers filed in this action, and on any evidence received at  
6 the hearing.

7 Date: 07-05-09

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9 Robert Brown

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KENNETH G. KEEL, Plaintiff

DECLARATION OF ROBERT BROWN

I, ROBERT BROWN, declare and state:

1. I am the intervenor in propria persona. I have personal knowledge of all facts in this declaration and, if called as a witness, I could and would testify competently to them.

2. On 11-10-98, following a trial and conviction for 12020(A) BURK or DAGGAR I was sentenced to an indeterminate term of life in prison, LOS ANGELES Co. County Case BA160163

A true and correct copy of my Abstract of Judgment is marked EXHIBIT A hereto, and incorporated by reference.

3. Under Rule 24(b) of Federal Rules of Civil Procedure, I apply to this Court for an order granting leave to intervene in this action.

4. As intervenor, I have an interest in the matter in litigation in this action.

5. In this action, I join plaintiff KENNETH G. KEEL in claiming what is set forth in the complaint.

6. I'm in a class of individuals who suffered injury to business or property--i.e., prospective business, contracts and/or employment opportunities--as a direct result of defendants public policy enterprise, which was financed by funds derived from a pattern of racketeering activity, and defeated Proposition 66 with deceit and fraud.

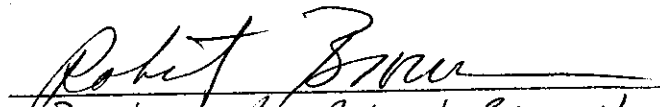
7. I'm in a class individuals who will suffer future injury to business or property--i.e., potential loss of privileges, personal property and/or liberty--as a direct result of defendants continuing public policy enterprise. Defendant Nicholas recently

1 financed a ballot initiative (Proposition 9) with income that was  
2 derived from a pattern of racketeering activity.

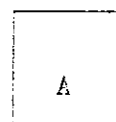
3 WHEREFORE, the instant application for intervention should  
4 be granted.

5 I declare under penalty of perjury that the foregoing is  
6 true and correct.

7 Executed on 07-05-09 2009, at Represa, California.

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10 Declarant, Robert Brown  
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## EXHIBIT COVER PAGE



EXHIBIT

Description of this Exhibit:

**Abstract of Judgment**

Number of pages to this Exhibit: 1 pages.

JURISDICTION: (Check only one)

- ☐ Municipal Court
- ☐ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☒ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury

#1307

ABSTRACT OF JUDGMENT - PRISON COMMITMENT  
INDETERMINATE SENTENCE

FORM CR 292

☒ SUPERIOR  
☐ MUNICIPAL  
☐ JUSTICE } COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

COURT (L.D.)  
1,9000,1 BRANCH OR JUDICIAL DISTRICT: CENTRAL CRIMINAL

PEOPLE OF THE STATE OF CALIFORNIA vs. BROWN, ROBERT IVAN ☒ PRESENT BA160163 -A  
DEFENDANT: AKA: BK # 5995722 ☐ NOT PRESENT -B  
COMMITMENT TO STATE PRISON AMENDED ☐ -C  
ABSTRACT OF JUDGMENT ABSTRACT ☐ -D  
DATE OF HEARING AND ENTRY 02-10-99 DEPT. NO. 102 JUDGE J.D. SMITH CLERK R. RAMSEYER -E

REPORTER D. GARCE COUNSEL FOR PEOPLE O. ROSALES COUNSEL FOR DEFENDANT S. BROWN PROBATION OFFICER X958561

**FILED**  
LOS ANGELES SUPERIOR COURT

MAR 29 1999

JOHN A. CLARKE

BY M. SPENCER, DEPUTY

## 1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONY:

☐ ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT (NUMBER OF PAGES)

COUNT	CODE	SECTION NUMBER	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION	CONVICTED BY	CONCURRENCE	CONSECUTIVE	REG. CODE
01	PC	12020(A)	Poss/mfg/sell danger weapon	97	11 10 98	X			

## 2. ENHANCEMENTS charged and found true TIED TO SPECIFIC COUNTS (mainly in the § 12022-series) including WEAPONS, INJURY, LARGE AMOUNTS OF CONTROLLED SUBSTANCES, BAIL STATUS, ETC.: For each count list enhancements horizontally. Enter time imposed for each or "S" for stayed or stricken. DO NOT LIST enhancements charged but not found true or stricken under § 1305. Add up time for enhancements on each line and enter the total in right-hand column.

Count	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Total

## 3. ENHANCEMENTS charged and found true FOR PRIOR CONVICTIONS OR PRIOR PRISON TERMS (mainly § 667-series) and OTHERS:

List all enhancements based on prior convictions or prior prison terms charged and found true. If 2 or more under the same section, repeat it for each enhancement (e.g., if 2 non-violent prior prison terms under § 667.5(b), list § 667.5(b) 2 times). Enter time imposed for each or "S" for stayed or stricken. DO NOT LIST enhancements charged but not found true or stricken under § 1305. Add time for these enhancements and enter total in right-hand column. Also enter here any other enhancement not provided for in section 2.

Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Total

## 4. Defendant was sentenced to State Prison for an indeterminate term:

- A. ☐ For LIFE WITHOUT THE POSSIBILITY OF PAROLE on counts \_\_\_\_\_
- B. ☐ For LIFE WITH POSSIBILITY OF PAROLE on counts \_\_\_\_\_
- C. ☐ For 15 years to life, WITH POSSIBILITY OF PAROLE on counts \_\_\_\_\_
- D. ☒ For 25 years to life, WITH POSSIBILITY OF PAROLE on counts \_\_\_\_\_

PLUS enhancement time shown above.

5. ☐ Indeterminate sentence shown on this abstract to be served ☐ consecutive to ☐ concurrent with any prior incomplete sentence(s)

## 6. Other Orders: (List all consecutive/concurrent sentence relationships, fines, etc. if not shown above)

3 STRIKE CASE, SENTENCE PURSUANT TO SECTION 1170.12 A-D & 667 B-I. PAY RESTITUTION FINE PURSUANT TO SECTION 1202.4B \$200.00

ON MARCH 22, 1999 THE COURT ORDERS AN 1170(D) PENAL CODE DIAGNOSTIC EVALUATION FOR THE DATE OF MAY 24, 1999. THE COURT ORDERS THE EVALUATION EXPEDITED DUE TO THE FACT THAT THE SENTENCE WAS IMPOSED ON 02-10-99.

(Use an additional page if necessary.)

7. ☐ The Court reserves the defendant of all appeal rights in accordance with rule 470, California Rules of Court. (AFTER TRIAL ONLY)

## 8. EXECUTION OF SENTENCE IMPOSED:

- A. ☒ AT INITIAL SENTENCING HEARING
- B. ☐ AT RESSENTENCING PURSUANT TO DECISION ON APPEAL
- C. ☐ AFTER REVOCATION OF PROBATION
- D. ☐ AT RESSENTENCING PURSUANT TO RECALL OF COMMITMENT (PC § 1170.6)
- E. ☐ OTHER \_\_\_\_\_

DATE OF SENTENCE PRONOUNCED AND ENTRY (YR)	CREDIT FOR TIME SPENT IN CUSTODY	TOTAL DAYS	ACTUAL LOCAL TIME	LOCAL CONDUCT CREDITS	STATE INSTITUTIONS
02-10-99	117	INCLUDING:	98	19	<input type="checkbox"/> DMH <input type="checkbox"/> CDC

## 9. DEFENDANT IS REMANDED TO THE CUSTODY OF THE SHERIFF TO BE DELIVERED:

- ☒ FORTHWITH INTO THE CUSTODY OF THE DIRECTOR OF CORRECTIONS AT THE RECEPTION-GUIDANCE CENTER LOCATED AT:
- ☐ AFTER 48 HOURS, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS
- ☐ CALIF. INSTITUTION FOR WOMEN-FRONTIERA
- ☐ YASCO
- ☐ OTHER (SPECIFY) \_\_\_\_\_
- ☐ CONFINEMENT CHINA
- ☐ SAN CLEMENTE
- ☒ CALIF. INSTITUTIONS FOR MEN-CHINA
- ☐ R.I. DOWNMAN
- ☐ DELIN. VOC. INST.

CLERK OF THE COURT

DEPUTY'S SIGNATURE  
M. SPENCERDATE  
March 29, 1999

This form is prescribed under Penal Code § 1213.3 to satisfy the requirements of § 1213 for indeterminate sentences. Attachments may be used and need not be referred to in this document.

Form Approved by the  
Judicial Council of California  
Effective January 1, 1992ABSTRACT OF JUDGMENT - PRISON COMMITMENT - INDETERMINATE  
CR 292

DISTRIBUTION

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WHITE COPY-ADMINISTRATIVE OFFICE OF THE COURTS

Pen. C. § 1213.5